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EXAMINER
GRANT II

ART UNIT	PAPER NUMBER
2724	2

DATE MAILED: 09/18/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/089,162

Applicant(s)

Kotsuli

Examiner

Jerome Grant 4

Group Art Unit

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—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE -3- MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☐ Claim(s) 1-8 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-8 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other _____

Office Action Summary

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Detailed Action

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2 and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated Archibald.

With respect to claim 1, Archibald teaches a communication apparatus, shown by figure 2, comprising: a interface means (DTE interface 270) for establishing connection to a personal computer (150); off-hook detecting means (via telephone network 130 according to col. 5, lines 40-43) for detecting an event that a telephone line is set to an off-hook state at the initiation of a communication; a control means (CPU 210) for transmitting information of the detection from the off hook detecting means (130) to a directory application initiation request means (sensor 220) for assisting in the storage of number of caller list integrally included in the personal computer (150). See also col. 5, lines 30-33 and 40-48.

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With respect to claim 2, Archibald teaches a interface means (DTE interface 270) for establishing connection to a personal computer (150); a handset, attached to the lead 201 of figure 2; means for closing the telephone linen in accordance with a state of the handset (via off hook relay 260); off-hook detecting means (via telephone network 130 according to col. 5, lines 40-43) for detecting an event that a telephone line is set to an off-hook state at the initiation of a communication; a control means (CPU 210) for transmitting information of the detection from the off hook detecting means (130) to a directory application initiation request means (sensor 220) for assisting in the storage of number of caller list integrally included in the personal computer (150). See also col. 5, lines 30-33 and 40-48.

With respect to claim 4, Archibald teaches a communication apparatus as shown by figures 1 and 5, comprising: a line control means connected to a telephone line for conducting a line control operation including a dialing operation (CPU 210 in combination with off hook relay 260); a central control means (CPU 210); off hook detecting means for detecting an event that the telephone line is set to an off-hook state at the initiation of communication, (off-hook relay 260); caller information detecting means (CPU 210) for detecting a caller telephone number notified to a call (see col. 5, lines 30-33) receiver by a caller telephone number notification service (211); and interface means (DTE interface 270) for controlling a serial communication with a personal computer (150) wherein the central control means transmits information of the detection from the

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off-hook detecting means (network 130) to director application initiation request means (220 for storing number of a caller list) to a computer (150).

With respect to claim 5, Archibald teaches a communication apparatus as shown by figures 1 and 5, comprising: a line control means connected to a telephone line for conducting a line control operation including a dialing operation (CPU 210 in combination with off hook relay 260); a central control means (CPU 210); off hook detecting means for detecting an event that the telephone line is set to an off-hook state at the initiation of communication, (off-hook relay 260); bell signal detecting means (terminal 110) for detecting a bell signal received from the telephone line (or line 201 according to col. 5, line s 38-40) and outputting information of the detection- see also step 355 of figure 3; caller information detecting means (CPU 210) for detecting a caller telephone number notified to a call (see col. 5, lines 30-33) receiver by a caller telephone number notification service (211); and interface means (DTE interface 270) for controlling a serial communication with a personal computer (150) wherein the central control means(CPU 210) transmits information of the detection from the off-hook detecting means (network 130) to director application initiation request means (220 for storing number of a caller list) to a computer (150). CPU 210 detects ring signals, see col. 6, lines 30-35 and detects and generates signals indicative of the off-hook status, see figure 2. Also the directory application request means is the signal (213) generated from CPU (210) to access caller party information stored in memory (220).

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2. Claims 6 - 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Archibald in view of the Well Known Prior Art M.P.E.P. 2144.03

With respect to claim 6, a line control means connected to a telephone line for conducting a line control operation including a dialing operation (CPU 210 in combination with off hook relay 260); a central control means (CPU 210); off hook detecting means for detecting an event that the telephone line is set to an off-hook state at the initiation of communication, (off-hook relay 260); caller information detecting means (CPU 210) for detecting a caller telephone number notified to a call (see col. 5, lines 30-33) receiver by a caller telephone number notification service (211); a personal computer (150) which can be programed to contain directory application software; CPU 210 for initiating a request such as the application software initiation request for a computer 150 by means of a digital signal processor 230 and control means(CPU 210) transmits information of the detection from the off-hook detecting means (network 130) to director application initiation request means (220 for storing number of a caller list) to a computer (150). CPU 210 detects ring signals, see col. 6, lines 30-35 and detects and generates signals indicative of the off-hook status, see figure 2. Also the directory application request means is the signal (213) generated from CPU (210) to access caller party information stored in memory (220).

Archibald teaches all of the subject matter upon which the claims depend except for the specific teaching of the specific application initiations software being contained in computer 150.

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However, it would have been obvious or would have been well known to one of ordinary skill in the art to install whatever application program is desired by an operator. It is clear that Archibald has made the invention compatible with computer (150) and is within reason that the computer could be used for supplying application program by means of device (200) or that such software could be loaded exclusive of device 200.

With respect to claim 7, Archibald teaches a line control means connected to a telephone line for conducting a line control operation including a dialing operation (CPU 210 in combination with off hook relay 260); bell signal detecting means (terminal 110) for detecting a bell signal received from the telephone line (or line 201 according to col. 5, lines 38-40) and outputting information of the detection- see also step 355 of figure 3; a central control means (CPU 210); off hook detecting means for detecting an event that the telephone line is set to an off-hook state at the initiation of communication, (off-hook relay 260); caller information detecting means (CPU 210) for detecting a caller telephone number notified to a call (see col. 5, lines 30-33) receiver by a caller telephone number notification service (211); a personal computer (150) which can be programed to contain directory application software; CPU 210 for initiating a request such as the application software initiation request for a computer 150 by means of a digital signal processor 230 and control means(CPU 210) transmits information of the detection from the off-hook detecting means (network 130) to director application initiation request means (220 for storing

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number of a caller list) to a computer (150). CPU 210 detects ring signals, see col. 6, lines 30-35 and detects and generates signals indicative of the off-hook status, see figure 2. Also the directory application request means is the signal (213) generated from CPU (210) to access caller party information stored in memory (220).

Archibald teaches all of the subject matter upon which the claims depend except for the specific teaching of the specific application initiations software being contained in computer 150.

However, it would have been obvious or would have been well known to one of ordinary skill in the art to install whatever application program is desired by an operator. It is clear that Archibald has made the invention compatible with computer (150) and is within reason that the computer could be used for supplying application program by means of device (200) or that such software could be loaded exclusive of device 200.

With respect to claim 8, Archibald teaches a line control means connected to a telephone line for conducting a line control operation including a dialing operation (CPU 210 in combination with off hook relay 260); bell signal detecting means (terminal 110) for detecting a bell signal received from the telephone line (or line 201 according to col. 5, lines 38-40) and outputting information of the detection- see also step 355 of figure 3; a central control means (CPU 210); off hook detecting means for detecting an event that the telephone line is set to an off-hook state at the initiation of communication, (off-hook relay 260); caller information detecting means (CPU 210) for detecting a caller telephone number notified to a call (see col. 5, lines 30-33) receiver by

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a caller telephone number notification service (211); a personal computer (150) which can be programmed to contain directory application software; CPU 210 for initiating a request such as the application software initiation request for a computer 150 by means of a digital signal processor 230; DSP 130 as the means for switching between making connections between the receiver side and the caller side; and control means (CPU 210) transmits information of the detection from the off-hook detecting means (network 130) to directory application initiation request means (220 for storing number of a caller list) to a computer (150). CPU 210 detects ring signals, see col. 6, lines 30-35 and detects and generates signals indicative of the off-hook status, see figure 2. Also the directory application request means is the signal (213) generated from CPU (210) to access caller party information stored in memory (220).

Archibald teaches all of the subject matter upon which the claims depend except for : 1) the specific teaching of the specific application initiations software being contained in computer 150; 2) ; the receiver and caller side amps.; 3) the microphone and speaker for hands off use; and 4) an amplifier for the microphone.

With regard to the first limitation, it would have been obvious or would have been well known to one of ordinary skill in the art to install whatever application program is desired by an operator. It is clear that Archibald has made the invention compatible with computer (150) and is within reason that the computer could be used for supplying application program by means of device (200) or that such software could be loaded exclusive of device 200.

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With regard to the second limitation, the examiner contends that the receiver and caller side amplifiers are set forth with the digital signal processor 230. Although the specifics of the DSP 230 are not shown by Archibald, it is well known in the art to use amplifiers for increasing the gain of a signal. This has specific purpose regarding signal processing which is clearly provided by the DSP 230 shown by Archibald.

With regard to the third limitation, microphone and speaker as referred to in the claim. Archibald teaches interacting with a telephone, but the specifics of the telephone are not disclosed. The feature of the claim refers to a telephone set which is a type of headphone set, much like telephone company operators or air traffic controls use when they must use there hands for interacting with a computer, for example. Thus, it is well known in the art to replace a hands free headphone type telephone, in place of the conventional telephone where the receiver must be held by an operators hand. It is well known in the art that headphones type telephones may facilitate the use of freeing the operators hands for other uses like interacting with computer via a keyboard.

With regard to the fourth limitation, that is the amplifier in the microphone, this is a limitation which is typical of hands free telephone headsets which have been previously described. But not only do hands free type telephones use amplifiers for amplifying signals obtained from the mouth piece (microphone) but also conventional telephone use amplifiers for amplifying voice signals obtained from the mouth piece. Therefore, it would have been obvious or well known in the art to use a amplifier in a microphone circuit for the purpose of amplifying an operators voice signals.

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Archibald in view of Hirota.

With respect to claim 3, Archibald teaches a interface means (DTE interface 270) for establishing connection to a personal computer (150); operation means means for closing the telephone line in accordance with initiating a facsimile communication; off-hook detecting means (via telephone network 130 according to col. 5, lines 40-43) for detecting an event that a telephone line is set to an off-hook state at the initiation of a communication; a control means (CPU 210) for transmitting information of the detection from the off hook detecting means (130) to a directory application initiation request means (sensor 220) for assisting in the storage of number of caller list integrally included in the personal computer (150). See also col. 5, lines 30-33 and 40-48.

What Archibald does not teach is an image reading means for facsimile communication.

Hirota teaches an image reader 50 provided for a facsimile machine as shown by figure 6.

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Since Archibald teaches a communication apparatus communicable with a terminal 110, as shown in figure 1, for example, the purpose of providing an image reading means for a facsimile communication would have been recognized by Archibald as clearly suggested by Hirota.

It would have been obvious to one of ordinary skill in the art to replace the terminal equipment 110 as shown by figure 1 of Archibald, with a facsimile machine having a image reading means as clearly suggested by Hirota as shown in figure 6, for the purpose of providing a facsimile machine interacting with a computer, as taught by Archibald. See figure 1.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Scott, Jones, Reese and Hanson show the prior art show the prior art in voice and data communication devices..

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is (703) 305-4391. The examiner can normally be reached on Mon.-Fri from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore, can be reached on (703) 308-7254. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5397.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

J. Grant II

Sept 14, 1998